

**SECOND ENGROSSMENT
with Senate Amendments**

Sixtieth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1395

Introduced by

Representatives Kasper, Boe, Charging, D. Johnson

Senators Flakoll, Wardner

1 A BILL for an Act to provide financial assistance to tribally controlled community colleges; and
2 to provide an appropriation.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. Definitions.** In this Act, unless the context otherwise requires:

5 1. "Nonbeneficiary student" means a resident of North Dakota who is enrolled in a
6 tribally controlled community college but is not an enrolled member of a federally
7 recognized Indian tribe.

8 2. "Tribally controlled community college" means an institution of higher education in
9 this state which is formally controlled or has been formally sanctioned or chartered
10 by the governing body of an Indian tribe, or any combination of federally
11 recognized Indian tribes.

12 **SECTION 2. Institutions eligible for grant assistance.** Any tribally controlled
13 community college located in this state is eligible to receive supplemental grant assistance for
14 nonbeneficiary students.

15 **SECTION 3. Grant authorization.** The state board of higher education shall make
16 grants to tribally controlled community colleges to defray the costs of education associated with
17 enrollment of nonbeneficiary students. Grants made pursuant to this section must go directly to
18 the recipient institutions.

19 **SECTION 4. Submission of grant application - Distribution of grants.** In order to
20 qualify for a grant under this Act, an institution shall submit an application in the manner
21 required by the state board of higher education. If an application is approved, the board shall
22 distribute to each tribally controlled community college, during each year of the biennium, four
23 thousand five hundred eighty-one dollars for each nonbeneficiary student on a full-time

1 equivalent basis. If the amount appropriated is insufficient, the board shall distribute a prorated
2 amount per nonbeneficiary student on a full-time equivalent basis.

3 **SECTION 5. Reporting by recipient institutions.** Each institution receiving a grant
4 under this Act shall annually provide to the state board of higher education an accurate and
5 detailed account of the expenditures of the grant funds received by the institution under
6 sections 1 through 5 of this Act and a copy of the institution's latest audit report and
7 documentation of the enrollment status and ethnic status of each student on whose account
8 financial assistance under this Act is sought.

9 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the
10 general fund in the state treasury, not otherwise appropriated, the sum of \$700,000, or so much
11 of the sum as may be necessary, to the state board of higher education for the purpose of
12 providing grant assistance payments to tribally controlled community colleges, for the biennium
13 beginning July 1, 2007, and ending June 30, 2009. No more than \$350,000 may be expended
14 for this purpose during the first year of the biennium.